

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DEMICO STANLEY, #02067413

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:22cv66

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Aileen Goldman Durrett, who issued a Report and Recommendation (“the Report”) (Dkt. #3) concluding the petition for writ of habeas corpus should be dismissed without prejudice for failure to prosecute due to Petitioner’s failure to comply with the Court’s Order (Dkt. #2) to either pay the \$5.00 filing fee or submit an application to proceed *in forma pauperis*, together with an *in forma pauperis* data sheet reflecting Petitioner’s last six months of financial activity from the inmate trust account. No objections were timely filed, and as of this date, Petitioner has not paid the \$5.00 filing fee or submitted an application to proceed *in forma pauperis*, together with an *in forma pauperis* data sheet.


The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The Court concludes the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is accordingly **ORDERED** the petition for a writ of habeas corpus is **DISMISSED** without prejudice.

It is further **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

IT IS SO ORDERED.

SIGNED this 13th day of November, 2023.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE